

## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/770,243	02/02/2004	Philippe Charron	40128/01101	9465	
30636	7590 03/22/2005	EXAMINER		INER	
FAY KAPLUN & MARCIN, LLP			MAYO III, WILLIAM H		
150 BROADWAY, SUITE 702 NEW YORK, NY 10038			ART UNIT	PAPER NUMBER	
			2831		
			DATE MAILED: 03/22/2009	DATE MAILED: 03/22/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

1) Responsive to communication(s) filed on			Application No.	Applicant(s)					
William H. Mayo III   2831	Office Action Summary		10/770,243	CHARRON, PHILIPPE					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Estancians of time may be available under the provisions of 3 CPR 1.13(a). In or event, however, may a reply be timely flied  If the period for reply specified shows in the stability period will apply and will explicit (MONTHS from Brailing date of the communication of the period for reply specified shows in the national statute) period will apply and will explicit (MONTHS from Brailing date of the communication of the period for reply specified shows in the national statute) and the period for reply specified shows in the national statute period will apply and will explicit (MONTHS from Brailing date of the communication of the period of the communication of the period from the period of the communication of the period of the period of the communication of the period of the communication of the period of the communication of the period of the period of the communication of the period of the period of the communication of the communication of the period of the period of the communication of the period of th			Examiner	Art Unit					
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THE MAILING DATE OF THIS COMMUNICATION.  Estations of the may be validable under the provides of 3 CFR 1.136(a). In no event, however, may a reply be timely filed after SX (5) MONTHS from the mailing date of this communication.  If NO period for reply is specified above, the mainten statistic period supply within the statistory previous to the maining date of this communication.  Failure to reply within the set or extended period for reply will, by statistic previous play within the statistory period will be part SX (6) MONTHS from the maining date of this communication.  Failure to reply within the set or extended period for reply will, by statistic, cause the application, even if timely filed, may reduce any example statistic term adjustment. Set 97 CFR 1.194(b).  Status  1) Responsive to communication(s) filed on									
1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any								
2a) This action is FINAL. 2b This action is non-final.  3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-11 is/are pending in the application. 4a) Of the above claim(s)	Status								
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## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims 1-8 are drawn to method of making a shield connection, which is classified in class 29, subclass 860.
  - II. Claims 9-11 are drawn to shield connection, which is classified in class174, subclass 88C.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the connection of the inner and outer conductors can be made by a materially different process such as butt welding, crimping, or cold welding, rather than ultrasonic welding.
- 3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Oleg Kaplun on March 9, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

## Communication

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner Art Unit 2831 Application/Control Number: 10/770,243

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March 8, 2005

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